

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference 10444P3 WORH	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/GB 03/01727	International filing date (day/month/year) 23.04.2003	Priority date (day/month/year) 23.04.2002
International Patent Classification (IPC) or both national classification and IPC C11D3/00		
Applicant RECKITT BENCKISER INC et al		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

 These annexes consist of a total of sheets.

- This report contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 24.10.2003	Date of completion of this report 05.03.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Richards, M Telephone No. +31 70 340-4267 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/GB 03/01727

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-35 as originally filed

Claims, Numbers

1-11 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

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**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	1-11
	No: Claims	
Inventive step (IS)	Yes: Claims	1-11
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-11
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB03/01727

Item V

Reference is made to the following documents:

D1: GB-2336371-A

D2: US-6512034-B1

Novelty (Article 33(2) PCT)

None of the documents cited on the International Search Report disclose a hard surface cleaning composition according to claim 1. Novelty of the independent and dependent claims 2 - 11 is thus acknowledged.

Inventivity (Article 33(3) PCT)

The present invention relates to hard surface cleaning and disinfecting compositions comprising at least one cationic germicidal agent. The objective problem to be solved by the present invention is seen as to provide alternative hard surface cleaning and disinfecting compositions, comprising tristyrylphenoethoxylate, which are readily pumpable and have reduced amounts of organic solvents.

D1 is taken as the closest prior art; it also relates to disinfecting and cleaning compositions and comprises a quaternary ammonium compound having germicidal properties. The compositions of D1 do not comprise organic solvent and would be pumpable as they are liquid. The difference between D1 and claim 1 resides in the presence of the tristyrylphenoethoxylate. D1, see claim 1, states that a nonionic surfactant must be present in the compositions disclosed therein.

However D1 does not suggest using tristyrylphenoethoxylate. Furthermore although tristyrylphenoethoxylate is known in the art to be suitable as a nonionic surfactant, see for instance Clariant product data and D2 claim 1 (the Japanese family member is published in time), there is no disclosure in any of the cited documents that the combination of tristyrylphenoethoxylate with cationic germicidal agents would lead to a surprisingly efficacious cleaning effect.

Inventivity of claims 1 - 11 is thus acknowledged.